

REMARKS

Applicants have amended claims 1, 5-8, 11-12 and 25-27, canceled claims 4 and 10, and added new claims 28-37. Accordingly, claims 1-3, 5-9, 11-23, and 25-37 are now pending. No new matter has been added.

The amendment to claim 1 to recite hose seats is supported by the last paragraph of page 13 in the application as filed. The amendment to claim 1 to recite that the retainer prevents the wand from rotating is supported by original claims 17 and 18. The amendments to claims 6 and 7 to recite a locking mechanism for the wand are supported by pages 7 and 8 of the application as filed. The amendment to claim 25 to recite a hose receiving channel provided on multiple sides of the main body is supported by the third paragraph of page 11 in the application as filed. New claim 28 is supported by FIG. 13 and page 11, lines 16-17 in the application as filed. New claims 29-37 correspond to claims 3, 5, 13, 15, 17, 19, 21, 22, and 23, which have been amended so that they no longer depend from claim 2.

Applicants thank the Examiner for the courtesy of conducting an interview with Applicants' representative on February 24, 2009. At the interview, it was determined that claims 8 and 9 overcome the current rejection. It was also determined that the rejection of claim 1 could be overcome by an amendment. Based on the interview, Applicants have amended claim 1 to recite that the main body comprises "hose seats for holding the hose in a fixed position with respect to the main body at a plurality of points along the length of the hose when the hose is made to pass at least once around the main body" and that the claimed retainer "prevents the wand from rotating when the wand is in the attached position." In view of these amendments, as well as the amendments to independent claims 6 and 25, Applicants submit that the pending claims are now in condition for allowance, as discussed in further detail below.

Claims 1-3 and 25-27 stand rejected under 35 USC 103(a) on Ohara in view of Tapp, and claims 1-3, 5-9, 11-23 and 25-27 stand rejected under 35 USC 103(a) on Nighy in view of Tapp. Applicants respectfully traverse these rejections with respect to the claims as amended.

In making the rejection, the Examiner states that Ohara and Nighy each disclose “the claimed invention except for a retainer,” and that it would have been obvious to modify Ohara or Nighy with Tapp’s clamps 22 in order to produce the claimed invention. The amended claims, however, include a number of features that are neither taught nor suggested by Ohara, Nighy or Tapp.

Claim 1, for instance, recites that the main body comprises “hose seats for holding the hose in a fixed position with respect to the main body at a plurality of points along the length of the hose when the hose is made to pass at least once around the main body.” The cited references do not disclose or suggest any such hose seats.

Neither Ohara nor Nighy discloses any type of mechanism for holding a hose in a fixed position on a main body as the hose passes around the main body. Tapp, on the other hand, discloses clamps 22, but these do not constitute hose seats as claimed because clamps 22 are located along the length of the tube 15, but not along the length of a *hose* as it passes around a main body, as required by the claim. Because the cited references do not disclose hose seats as claimed, the rejection of claim 1 should be withdrawn.

Amended claim 1 further recites that the retainer “prevents the wand from rotating when the wand is in the attached position.” As the Examiner has indicated in the Office Action, neither Ohara nor Nighy discloses a retainer as claimed. Tapp, on the other hand, discloses clamps 22 that grip the tube 15 to prevent it from easily detaching from the canister 10, but these clamps do not include any mechanism for preventing the tube 15 from rotating while it remains within clamps 22. Because the cited references do not disclose a retainer that prevents the wand from rotating when it is in the attached position, as required by claim 1, the rejection of claim 1 should be withdrawn.

Additionally, even assuming, *arguendo*, that Tapp’s clamps 22 could be compared with the claimed retainer or the claimed hose seats, the clamps 22 could not be reasonably interpreted to constitute *both* the retainer and the hose seats because the retainer and hose seats are recited as

separate elements. In other words, Tapp discloses at most one mechanism for retaining a hose or wand against a main body, while claim 1 requires two mechanisms – the retainer and the hose seats. Accordingly, the rejection of claim 1 should be withdrawn not only because the cited references fail to disclose the hose seats and retainer individually, but also because they fail to disclose a combination including the hose seats and the retainer as separate elements.

Claim 6 recites a channel in the main body for receiving a wand, and a locking mechanism that releasably locks the wand to the upper surface of the main body when the wand is in the retracted position so that the cleaning appliance can be carried by a handle attached to the wand. The cited references, taken individually or in combination, fail to disclose or suggest the channel, the locking mechanism, and the handle.

An example of the claimed channel and the claimed wand having a handle are shown in FIG. 12 of the application as filed. These features were discussed briefly at the interview on February 24, 2009. As discussed at the interview, neither Tapp nor the other cited references includes such a channel for receiving a wand. Tapp's tube 15, for instance, is attached entirely on the outside of the main body 10, with no channel located in the main body 10. As further discussed at the interview, neither Tapp nor the other cited references discloses a "locking mechanism" for releasably locking a wand to a main body, as recited in claim 6. Rather, Tapp merely discloses clamps for holding the tube 15 in place, but not locking it. Finally, none of the cited references discloses a wand having a handle for carrying the appliance, as recited in claim 6. For instance, Tapp's tube 15 includes no handle, as shown by Tapp's FIGS. 1-3.

Because the cited references fail to disclose or suggest at least the channel, locking mechanism, and handle, as recited in amended claim 6, the rejection of claim 6 should be withdrawn.

Claim 25 has been amended to recite "a hose receiving channel provided on multiple sides of the main body," which is not disclosed or suggested by any of the cited references. Tapp's clamps 22, for instance, are located on only one side of the main body 10, and therefore

they cannot possibly constitute a hose receiving channel on multiple sides, as claimed. Moreover, Tapp's clamps receive tube 15, but they do not receive any part of Tapp's hose 13. Thus, Tapp's clamps 22 cannot be reasonably interpreted to constitute a hose receiving channel as claimed. Because the cited references fail to disclose at least these features of claim 25, the rejection of claim 25 should be withdrawn.


Claims 2-3, 5, 7-9 and 11-23, 26, 27, and 29-37 depend from claims 1, 6, and 25 and are therefore allowable at least based on their respective dependencies. Claim 28 recites features similar to those discussed above in relation to claim 25 and is therefore patentable at least for reasons similar to those already presented.

Early action allowing claims 1-3, 5-9, 11-23, and 25-37 is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 424662010200.

Respectfully submitted,

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